**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants: Davis, P. J. *et al.*

Examiner: Nguyen, B. T. L.

Application No.: 09/944,389

Art Unit: 1641

Filed: September 4, 2001

Atty. Docket No.: ISA-048.06

Title: *Assays*

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that this "Request for Application of Previously Paid Issue Fee" is being transmitted via facsimile at telephone number (571) 273-2885 to: Mail Stop: Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 1, 2007

Date of Signature and Mail Deposit

By:

Robert Campbell

REQUEST FOR APPLICATION OF PREVIOUSLY PAID ISSUE FEE

In response to the Notice of Allowance in the above-referenced application, mailed December 1, 2006, the Applicants respectfully request that the previously paid issue fee be applied against the issue fee now due.

On February 17, 2005 the Issue Fee (\$1,400.00 for a Large Entity) was timely submitted to the USPTO. Subsequently, a Petition to Withdraw Application from Issue was filed on June 27, 2005, accompanied by a proper Request for Continued Examination; the Petition and Request were granted by the USPTO on June 28, 2005, thereby withdrawing the application from issue. Applicants request that the previously-paid Issue Fee now be applied against the issue fee due listed on the Notice of Allowance mailed December 1, 2006. Also enclosed are the corresponding executed Form PTOL-85 and one copy thereof, both of which have been annotated with appropriate language.

Although we believe that no additional fee is due in connection with this paper and associated properly completed Form PTOL-85, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies of fee to our Deposit Account No. 06-1448, Ref. ISA-048.06.

Respectfully submitted,
Patent Group
Foley Hoag LLP

By:

Jennifer A. Zarutskie, Ph.D.
Reg. No. 50,558
Attorney for Applicants

Foley Hoag LLP
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Date: March 1, 2007



**FOLEY
HOAG** LLP
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Fax

Date: March 1, 2007

To: U.S. Patent and Trademark Office Fax #: 571-273-2885 Confirm#: 571-272-1149

Client Matter#: 24922-4901 (ISA-048.06)

Jennifer A. Zarutskie,

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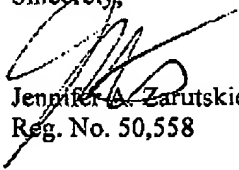
Re: U.S. Patent Application No.: 09/944,389
Filed: September 4, 2001
Entitled: *Assays*
Applicant: **Inverness Medical Switzerland GmbH**
Inventors: Davis, P. J. *et al.*
Our Reference No.: ISA-048.06 (24922-4806)

Sir/Madam:

Transmitted herewith for filing in connection with the above-referenced patent application are the following:

1. This Fax Cover Sheet (1 page);
2. Certificate of Transmission (1 page);
3. Request for Application of Previously Paid Issue Fee (1 page); and
4. Form PTOL-85 (1 original and 1 copy; 1 page each).

Sincerely,


Jennifer A. Zarutskie
Reg. No. 50,558

JAZ/rc

Attachments

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Application No. (if known): 09/944,389

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